IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EMERSON OBED HERNANDEZ CULAJAY, and M.S.H.S., a minor child,

Case No. 5:19-cv-03204-JDW

Plaintiffs,

v.

KEVIN K. MCALEENAN, Acting Secretary, United States Department of Homeland Security, et al.

Defendants.

ORDER

AND NOW, this 19th day of August, 2019, upon consideration of the Plaintiffs' Emergency Petition for a Writ of Mandamus (ECF No. 1), Plaintiffs' Memorandum of Law in Support Motion for Preliminary Injunction (ECF No. 14), and Defendants' Brief in Opposition to Plaintiffs' Motion for Preliminary Injunction Relief & Writ of Mandamus (ECF No. 18), it is **ORDERED** as follows:

- 1. For the reasons stated in the accompanying Opinion, Plaintiffs' Motion for a Preliminary Injunction is **DENIED**;
- 2. For the reasons stated in the accompanying Opinion, the Court lacks subject matter jurisdiction over Counts I, II, III, and V of the Petition, and those claims are therefore **DISMISSED**;
- 3. Pursuant to Plaintiffs' statement on the record at the preliminary injunction hearing that the Court held on August 16, 2019, Count VI of Plaintiffs' Petition is **WITHDRAWN** without prejudice to Plaintiffs' claims to re-file those claims after appropriate proceedings before the Board of Immigration Appeals; and

	4.	On or before August 21, 2019, Plaintiffs sh	all file redacted versions of Exhibits
and C to their Petition.			
			BY THE COURT:
			/s/ Joshua D. Wolson JOSHUA D. WOLSON, J.